

1 KEVIN V. RYAN (CASBN 118321)  
United States Attorney

2 MARK KROTOSKI (CASBN 138549)  
3 Chief, Criminal Division

4 ROBIN L. HARRIS (CASBN 123364)  
Assistant United States Attorneys

5 450 Golden Gate Avenue, Box 36055  
6 San Francisco, California 94102  
7 Telephone: (415) 436-7016

8 Attorneys for Plaintiff  
United States of America

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA, CR No.: 06-0504 WHA

13 Plaintiff,

14 v.

STIPULATION AND ORDER ~~[Proposed]~~

15  
16 DENNIS DiRICCO,

17 Defendant.  
18 \_\_\_\_\_/

19 The United States, through its counsel Assistant United States Attorney, Robin L. Harris, and  
20 defendant Dennis DiRicco, though his counsel Edward Swanson, hereby stipulate to the  
21 following:

22 1. On January 30, 2007, the parties appeared before the Court for a status conference. At that  
23 time, the parties advised the Court that the defendant was seeking additional discovery which the  
24 parties believe will assist them in reaching a resolution of this matter. The United States is  
25 attempting to obtain the information requested by the defendant. However, obtaining the newly  
26 requested information may take longer than the parties originally anticipated because the  
27 government has learned that a new IRS case agent will be assigned responsibility for this case.

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2. The United States and the defendant jointly agree that both parties will need to review the recently requested information, if it exists, to arrive at a negotiated disposition of this case

3. In recognition of the parties' joint need to obtain and review information currently sought by the defense, the United States and defendant DiRicco agree and stipulate to a one-week continuance of the change of plea and/or trial setting conference from February 20, 2007 until January 27, 2007 at 2:00 p.m.

4. The parties further stipulate that the time from January 30, 2007 through February 27, 2007 is excludable under the Speedy Trial Act for the reasons stated on the record on January 30, 2007 and for the continued continuity of counsel.

Accordingly,

IT IS HEREBY STIPULATED AND AGREED by and between the United States and defendant DiRicco and his counsel, that the change of plea or motions/trial setting conference shall be continued for one week from February 20, 2007 until February 27, 2007 at 2:00 p.m.

The parties further stipulate that the time from January 30, 2007 through February 27, 2007 is excludable under the Speedy Trial Act for the reasons stated on the record on January 30, 2007 and for the continued continuity of counsel

DATED: January 31, 2007

KEVIN V. RYAN  
United States Attorney

/S/ Robin L. Harris  
ROBIN L. HARRIS  
Assistant United States Attorney

DATED: January 31, 2007

/S/ Edward Swanson  
EDWARD SWANSON  
Attorney for Defendant

#### ORDER


IT IS HEREBY ORDERED based upon the above stipulation between the United States and defendant DiRicco and his counsel, that the change of plea or motions/trial setting conference in this case shall be continued for one week from February 20, 2007 until February 27, 2007 at 2:00

1 p.m. IT IS FURTHER ORDERED that the time from January 30, 2007 through February 27,  
2 2007 is excludable under the Speedy Trial Act for the reasons stated on the record on January 30,  
3 2007 and for the continued continuity of counsel.

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5 DATED: February 5, 2007

IT IS SO ORDERED.

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WILLIAM A. ALSOP  
United States District Court Judge